

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIK A. M. POELMAN, On Behalf of  
Himself  
and All Others Similarly Situated,  
  
Plaintiff,

**Civil Action No.: 08 Civ. 6477 (PAC)**

**NOTICE OF DISMISSAL PURSUANT TO  
FEDERAL RULE 41(A)**

vs.

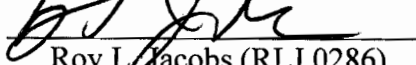
SEMGROUP ENERGY PARTNERS, L.P.,  
SEMGROUP ENERGY PARTNERS G. P.  
LLC,  
KEVIN L. FOXX, GREGORY C.  
WALLACE, and ALEX STALLINGS,  
  
Defendants.

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PLEASE TAKE NOTICE that pursuant to Rule 41(a) of the Federal Rules of Civil  
Procedure, this action is hereby dismissed without prejudice.

Dated: August 26, 2008

ROY JACOBS & ASSOCIATES

By:   
Roy L. Jacobs (RLJ 0286)

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

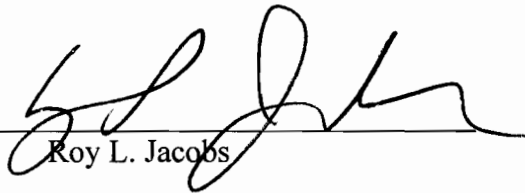
This is to certify that on the 26<sup>th</sup> day of August, 2008, the foregoing Notice of Dismissal

Pursuant to Federal Rule Rule 41(a) was served by first -class mail, postage pre-paid on:

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Roy L. Jacobs